IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE THIRD DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION NO : 8596 of 2004

Between:

S.Prabhudas S/o Late S.James, 59-11-8/1 R&T Colony, Rajahmudry-533 105

..... PETITIONER

AND

1Andhra Bank rep.by its Assistant General Manager (personnel)
Appellate Authority , Personnel Department (IR) Andhra Bank Head Officer , Hyd
2 Andhra Bank rep by its Manger & Disciplinary Authoirty
Andhra Bank, zonal officer, Kakinada

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order, direction or a writ one in the nature of writ of Mandamus, declaring i) the order under Lr. No.677/20/1654, dt. 31/07/2002 of the 2nd respondent imposing the punishment of compulsory Retirement, (ii) the order under Lr.No. 666/20/V/P-326/615, dt. 31/10/2002 of the 1st respondent confirming the punishment imposed by the 2nd respondent, as illegal, arbitrary and violative of principles of natural justice and by SETTING ASIDE THE ORDERS dt. 31/07/2002 of 2nd respondent and order dt. 31/10/2002 of the 1st respondent and consequently direct the respondents 1to 3 to reinstate the petitioner into service with backwages, continunity of service and all attendant benefits forthwith,

Counsel for the Petitioner: MR.A.SRINIVASA SARMA

Counsel for the Respondent Nos.1 & 2: MR.N.RAMA MOHAN RAO

The Court made the following :

ORAL ORDER:

1. It is stated that the petitioner instructed the counsel appearing on his behalf to withdraw the writ petition with liberty to proceed with the Labour Court, Hyderabad, for adjudication to be initiated in pursuance of the letter dt.28-6-2004 of the Ministry of Labour, Government of India.

2. Learned counsel appearing on behalf of the respondents submits that the petitioner also filed an affidavit along with WPMP No.1786 of 2004 to permit him to withdraw the writ petition.

3. Accordingly, the writ petition is dismissed as withdrawn with liberty to the petitioner to proceed with the Labour Court for adjudication. No order as to costs.

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V. ESWARAIAH, J

Dt.3-8-2004

KVRK

To

1 The Assistant General Manager (personnel), Andhra Bank

Appellate Authority , Personnel Department (IR) Andhra Bank Head Office , Hyd

2 The Manger & Disciplinary Authoirty, Andhra Bank,Zonal office, Kakinada

3. Two CD copies.